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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,447	08/26/2003	Akihiro Hashimoto	Q77147	1646

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EXAMINER

NEGRON, DANIEL L

ART UNIT	PAPER NUMBER
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2651

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/647,447

Applicant(s)

HASHIMOTO, AKIHIRO

Examiner

Daniell L. Negrón

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,7,10,13,16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,7,10,13,16 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 4 is objected to because of the following informalities:

The context of claim 4 fails to positively describe the production of the second CRC code. Page 3, line 3 of the response filed September 15, 2005 recites "...a second CRC code produced **from data recorded in said recording medium...**" while page 3, line 5 recites "...said second CRC code being produced **when said data is recorded in said recording medium...**". It is unclear as to what the procedure is for producing the second CRC code since it can be interpreted as produced by reading data previously recorded on the medium, as first recited, or it can be interpreted as being produced while data is recorded, which would contradict the previously recited limitation.

Appropriate correction is required.

Examiner interprets the limitation of the second CRC code of claim 4 as being produced from data recorded in the recording medium by reading data previously recorded.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4, 7, 10, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Riches et al U.S. Patent Application Publication No. 2002/0035695.

Regarding claim 1, Riches et al disclose a recording medium cartridge (4) comprising a recording medium (4a) and a cartridge memory (3), wherein a first cyclic redundancy checking (CRC) code produced from data recorded in the recording medium (page 1, paragraphs 6 and 23) is recorded in the cartridge memory and then secured an un-rewritable state (page 1, paragraph 26 and page 3, paragraph 86).

Regarding claims 4 and 7, Riches et al disclose a recording/reproducing apparatus (2) for recording on/reproducing from a recording medium cartridge (4) comprising a recording medium (4a) and a cartridge memory (3), wherein a first CRC code produced from data recorded in the recording medium (page 1, paragraphs 6 and 23) is recorded in the cartridge memory in an un-rewritable state (page 1, paragraph 26 and page 3, paragraph 86).

Riches et al further disclose a CRC code comparing means which compares a second CRC code produced from data recorded in the recording medium with a first CRC code corresponding to the data recorded in the cartridge memory (3), the second CDC code being produced when the data is recorded in the recording medium, and an authentication determining means which determines authentication of data recorded to the recording medium based on a comparison result of a CRC code comparing means, wherein the first CRC code and the second CRC code accord in a comparison result by the CRC code comparing means, the authentication determining means judges that recorded data in the recording medium is authentic (i.e. valid) and wherein the first CRC code and the second CRC code do not accord in the comparison result by the CRC code comparing means, the authentication determining means judges that the recorded data in the recording means judges that the recorded data is not authentic (page 1, paragraph 19, page 2, paragraphs 46-49, and page 5, paragraph 113).

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Regarding claims 10 and 13, the rejections applied to claims 10 and 13 in the previous Office action mailed June 29, 2005 are herein repeated for the same reasons (see Response to Arguments).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riches et al U.S. Patent Application Publication No. 2002/0035695 in view of Malakapalli et al U.S. Patent No. 6,467,060.

Regarding claims 16 and 19, the rejections applied to claims 16 and 19 in the previous Office action mailed June 29, 2005 are herein repeated for the same reasons (see Response to Arguments).

Response to Arguments

6. Applicant's arguments filed September 15, 2005 have been fully considered but they are not persuasive.

Regarding claim 1, Applicant argues that Riches et al disclose protecting CRC code during a recording operation and not after a recording operation. Applicant further points to paragraphs 0005, 0045, and 0051 to support the argument, however the Examiner respectfully disagrees with the Applicant because said paragraphs discuss protecting data being stored to a medium and do not discuss protecting CRC codes being stored to a cartridge memory. As

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discussed in the previous Office action mailed June 15, 2005 Riches et al disclose securing CRC codes in an unrewritable state (page 1, paragraph 26 and page 3, paragraph 86). It is considered that once the code is recorded to the cartridge memory, the code is secured in an unrewritable (read-only) state, and is therefore consistent with the Applicant's invention as claimed.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniell L. Negrón whose telephone number is 571-272-7559. The examiner can normally be reached on Monday-Friday (8:30am-5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DLN 
December 9, 2005


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2651